

Remarks

Claims 1-11 are pending in the present application. Reconsideration and allowance are requested in view of the above amendments and the remarks below. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Furthermore, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application.

Claims 1-12 are rejected under 35 U.S.C. 103(a) over Choquier et al. (US 5,774,668), hereafter “Choquier,” in view of Agarwalla (US 6,985,936), hereafter “Agarwalla” and Coughlin (US 2004/0024861).

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure.

The rejection under 35 U.S.C. 103(a) over Choquier, Agarwalla, and Coughlin is defective because the references, taken alone or in any combination, fail to disclose each and every feature of the claims.

Regarding independent claim 1, the references fail to teach or suggest, *inter alia*, the claimed context table, “wherein the context table contains at least one entry comprising: a server name comprising a hostname of a content server as contained in an URL; an IP address of the content server; one of the URLs associated with a name of the content server; an “availability” of the URL; a last received date and time of a last received service availability token from the content server; a request sent flag indicating whether an availability request has already been sent, wherein the request sent flag is reset every time a response is received; a number of retries comprising a number of times a service availability request has been sent; and a date and time of a last sent availability request.”

Accordingly, since Choquier, Agarwalla, and Coughlin, taken alone or in any combination, fail to disclose each and every feature of the claims, Applicants submit that claims 1-11 are allowable.

With respect to the dependent claims, Applicants herein incorporate the arguments presented above with respect to the independent claims from which the claims depend. The dependent claims are believed to be allowable based on the above arguments, as well as for their own additional features.

If the Examiner believes that anything further is necessary to place the application in condition for allowance, the Examiner is requested to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

/ John A. Merecki /

Dated: June 2, 2008

John A. Merecki
Reg. No. 35,812

Hoffman Warnick LLC
75 State Street, 14th Floor
Albany, NY 12207
(518) 449-0044 - Telephone
(518) 449-0047 - Facsimile